

MESSAGE NO: 3007204 MESSAGE DATE: 01/07/2003

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-848

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 09/01/1999 TO 08/31/2000

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION OF CRAWFISH FROM CHINA (A-570-848)

MESSAGE NO: 3007204

DATE: 01 07 2003

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 848

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PERIOD COVERED: 09 01 1999 TO 08 31 2000

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION OF CRAWFISH FROM CHINA (A-570-848)

1. YOU ARE INSTRUCTED TO LIQUIDATE ALL SHIPMENTS OF FRESHWATER CRAWFISH TAIL MEAT FROM THE PEOPLE'S REPUBLIC OF CHINA, SHIPPED BY THE COMPANIES LISTED BELOW, AND ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIODS LISTED BELOW. ASSESS AN ANTIDUMPING LIABILITY ON THE ENTERED VALUE BASED ON THE RATES IN EFFECT AT THE TIME OF ENTRY. THE RATES WERE AS FOLLOWS:

ID NUMBER	COMPANY NAME	PERIOD	RATE (AD VALOREM)
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A-570-848-001 BINZHOU PREFECTURE FOODSTUFFS IMPORT & EXPORT CORP.

SEPTEMBER 1, 1999 APRIL 18, 2000 119.39%

APRIL 19, 2000 AUGUST 31, 2000 201.63%

A-570-848-004 HUAIYIN NINGTAI FISHERIES

SEPTEMBER 1, 1999 APRIL 18, 2000 122.92%

APRIL 19, 2000 AUGUST 31, 2000 201.63%

A-570-848-006 JIANGSU LIGHT INDUSTRIAL PRODUCTS IMPORT
EXPORT

(GROUP) YANGZHOU CO.

SEPTEMBER 1, 1999 APRIL 18, 2000 201.63%

APRIL 19, 2000 AUGUST 31, 2000 201.63%

A-570-848-007 LIANYUNGANG YUPENG AQUATIC PRODUCTS CO., LTD..

SEPTEMBER 1, 1999 APRIL 18, 2000 201.63%

APRIL 19, 2000 AUGUST 31, 2000 201.63%

A-570-848-010 YANCHENG FENGBAO AQUATIC FOOD CO., LTD.

SEPTEMBER 1, 1999 APRIL 18, 2000 201.63%

APRIL 19, 2000 AUGUST 31, 2000 201.63%

A-570-848-013 LIANYUNGANG HAIWANG AQUATIC PRODUCTS CO., LTD..

SEPTEMBER 1, 1999 APRIL 18, 2000 201.63%

APRIL 19, 2000 AUGUST 31, 2000 201.63%

A-570-848-015 YANCHENG BAOLONG BIOCHEMICAL PRODUCTS

SEPTEMBER 1, 1999 APRIL 18, 2000 201.63%

APRIL 19, 2000 AUGUST 31, 2000 201.63%

A-570-848-017 YIXING BAN CHANG FOODS

SEPTEMBER 1, 1999 AUGUST 31, 2000 201.63%

A-570-848-024 RIZHAO RIYUAN MARINE AND FOOD PRODUCTS

SEPTEMBER 1, 1999 AUGUST 31, 2000 201.63%

2. THESE INSTRUCTIONS COVER IMPORTS OF FRESHWATER CRAWFISH TAIL
MEAT IN ALL ITS FORMS (WHETHER WASHED OR WITH FAT ON, WHETHER

PURGED OR UNPURGED), GRADES, AND SIZES; WHETHER FROZEN, FRESH, OR CHILLED; AND REGARDLESS OF HOW IT IS PACKED, PRESERVED, OR PREPARED. EXCLUDED FROM THE SCOPE OF THE ORDER ARE LIVE CRAWFISH AND OTHER WHOLE CRAWFISH, WHETHER BOILED, FROZEN, FRESH, OR CHILLED. ALSO EXCLUDED ARE SALTWATER CRAWFISH OF ANY TYPE, AND PARTS THEREOF. FRESHWATER CRAWFISH TAIL MEAT IS CURRENTLY CLASSIFIABLE IN THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS) UNDER ITEM NUMBERS 1605.40.10.10, 1605.40.10.90, 0306.19.00.10 AND 0306.29.00.00. THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES ONLY. THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS ORDER IS DISPOSITIVE.

3. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE COMPANIES, MERCHANDISE AND PERIOD LISTED ABOVE. FOR ALL OTHER SHIPMENTS OF FRESHWATER CRAWFISH TAIL MEAT FROM THE PEOPLE'S REPUBLIC OF CHINA, YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930, AS AMENDED (THE ACT). SECTION 778 OF THE ACT REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS AND ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED

AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT'S

REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS

OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT ADINA TEODORESCU AT 202-482-4052, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party